

SENATE BILL 2623

By Black

AN ACT to amend Tennessee Code Annotated, Title 55,
relative to motor vehicle accidents, crimes and
penalties.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-10-406(a)(1), is amended by deleting the last sentence of the subsection and substituting instead the following:

For the results of such test or tests to be considered as presumptive evidence under § 55-10-408, it must first be established that all tests administered were administered to the person within two (2) hours following such person's arrest or placement in custody. The two (2) hour limit shall be measured from the time of arrest or physical custody until the beginning of the observation period for a breath test if a breath test is conducted. The two (2) hour limit shall not apply to a test of drug content or in cases involving serious bodily injury or death to another person.

SECTION 2. This act shall take effect January 1, 2009, the public welfare requiring it.